

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

FILED

RECEIVED

ENTERED

SERVED ON
COUNSEL/PARTIES OF RECORD

FEB 22 2022

CLERK US DISTRICT COURT
DISTRICT OF NEVADA

BY: 2:22-cv-00314-JAD-BNW DEPUTY

UNITED STATES DISTRICT COURT

for the
District of Nevada

Valerie McDonald

Plaintiff/Petitioner

v.

Capital One Auto Finance

Defendant/Respondent

APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS
(Long Form)

Affidavit in Support of the Application

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested. I declare under penalty of perjury that the information below is true and understand that a false statement may result in a dismissal of my claims.

Signed: Valerie McDonald

Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: 02/20/2022

- For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

| Income source | Average monthly income amount during the past 12 months | | Income amount expected next month | |
|---|---|---------|-----------------------------------|---------|
| | You | Spouse | You | Spouse |
| Employment | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Self-employment | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Income from real property (such as rental income) | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Interest and dividends | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Gifts | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Alimony | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Child support | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

| | | | | |
|--|----------------|----------------|----------------|----------------|
| Retirement (such as social security, pensions, annuities, insurance) | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Disability (such as social security, insurance payments) | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Unemployment payments | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Public-assistance (such as welfare) | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Other (specify): | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| Total monthly income: | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of employment | Gross monthly pay |
|----------|--------------------|---------------------|-------------------|
| GAN | 10801 W Charleston | 10/2021-03/2022 | \$ 0.00 |
| N/A | N/A | N/A | \$ 0.00 |

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of employment | Gross monthly pay |
|----------|---------|---------------------|-------------------|
| N/A | N/A | N/A | \$ 0.00 |
| N/A | N/A | N/A | \$ 0.00 |
| N/A | N/A | N/A | \$ 0.00 |

4. How much cash do you and your spouse have? \$ 0.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

| Financial institution | Type of account | Amount you have | Amount your spouse has |
|-----------------------|-----------------|-----------------|------------------------|
| N/A | N/A | \$ 0.00 | \$ 0.00 |
| N/A | N/A | \$ 0.00 | \$ 0.00 |
| N/A | N/A | \$ 0.00 | \$ 0.00 |

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

| Assets owned by you or your spouse | | |
|---|----|------|
| Home (Value) | \$ | 0.00 |
| Other real estate (Value) | \$ | 0.00 |
| Motor vehicle #1 (Value) | \$ | 0.00 |
| Make and year: N/A | | |
| Model: N/A | | |
| Registration #: N/A | | |
| Motor vehicle #2 (Value) | \$ | 0.00 |
| Make and year: N/A | | |
| Model: N/A | | |
| Registration #: N/A | | |
| Other assets (Value) | \$ | 0.00 |
| Other assets (Value) | \$ | 0.00 |

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

| Person owing you or your spouse money | Amount owed to you | Amount owed to your spouse |
|--|---------------------------|-----------------------------------|
| N/A | \$ 0.00 | \$ 0.00 |
| N/A | \$ 0.00 | \$ 0.00 |
| N/A | \$ 0.00 | \$ 0.00 |

7. State the persons who rely on you or your spouse for support.

| Name (or, if under 18, initials only) | Relationship | Age |
|--|---------------------|------------|
| N/A | N/A | |
| N/A | N/A | |
| N/A | N/A | |

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

| | You | Your spouse |
|--|------------|--------------------|
| Rent or home-mortgage payment (<i>including lot rented for mobile home</i>) Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No | \$ 0.00 | \$ 0.00 |
| Utilities (<i>electricity, heating fuel, water, sewer, and telephone</i>) | \$ 0.00 | \$ 0.00 |
| Home maintenance (<i>repairs and upkeep</i>) | \$ 0.00 | \$ 0.00 |
| Food | \$ 0.00 | \$ 0.00 |
| Clothing | \$ 0.00 | \$ 0.00 |
| Laundry and dry-cleaning | \$ 0.00 | \$ 0.00 |
| Medical and dental expenses | \$ 0.00 | \$ 0.00 |
| Transportation (<i>not including motor vehicle payments</i>) | \$ 0.00 | \$ 0.00 |
| Recreation, entertainment, newspapers, magazines, etc. | \$ 0.00 | \$ 0.00 |
| Insurance (<i>not deducted from wages or included in mortgage payments</i>) | | |
| Homeowner's or renter's: 0 | \$ 0.00 | \$ 0.00 |
| Life: 0 | \$ 0.00 | \$ 0.00 |
| Health: 0 | \$ 0.00 | \$ 0.00 |
| Motor vehicle: 0 | \$ 0.00 | \$ 0.00 |
| Other: 0 | \$ 0.00 | \$ 0.00 |
| Taxes (<i>not deducted from wages or included in mortgage payments</i>) (<i>specify</i>): | \$ 0.00 | \$ 0.00 |
| Installment payments | | |
| Motor vehicle: | \$ 0.00 | \$ 0.00 |
| Credit card (<i>name</i>): 0 | \$ 0.00 | \$ 0.00 |
| Department store (<i>name</i>): 0 | \$ 0.00 | \$ 0.00 |
| Other: 0 | \$ 0.00 | \$ 0.00 |
| Alimony, maintenance, and support paid to others | \$ 0.00 | \$ 0.00 |

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

| | | |
|---|----------------|----------------|
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ 0.00 | \$ 0.00 |
| Other (specify): 0 | \$ 0.00 | \$ 0.00 |
| Total monthly expenses: | \$ 0.00 | \$ 0.00 |

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?
 Yes No If yes, describe on an attached sheet.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in conjunction with this lawsuit? Yes No
If yes, how much? \$ 0.00

11. Provide any other information that will help explain why you cannot pay the costs of these proceedings.
I currently am not employed and do not have income pursuant 12 USC 4502(6). I have included a statement from the housing authority showing that I pay no rent and get a utility reimbursement.

12. Identify the city and state of your legal residence.
Las Vegas, Nevada

Your daytime phone number: 

Your age: 38 Your years of schooling: 15

ORDER

IT IS ORDERED that Plaintiff's motion to proceed *in forma pauperis* (ECF No. 1) is DENIED without prejudice.

Plaintiff has not adequately filled out the *in forma pauperis* application. She filled in "0s" for all amounts, noted that she was employed but made "\$0.00," and checked both "yes" and "no" for various boxes.

Accordingly, IT IS ORDERED that the Clerk of Court shall send Plaintiff another application, and Plaintiff must fully and accurately complete it. Plaintiff must file this new application to proceed *in forma pauperis* by March 16, 2022, or this Court will recommend that this case be dismissed.

IT IS SO ORDERED

DATED: 9:47 am, February 23, 2022



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE